

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**IN RE NATIONAL PRESCRIPTION
OPIATE LITIGATION**

This document relates to:

*West Boca Medical Center, Inc. v.
AmerisourceBergen Drug Corp., et al.*, Case
No. 18-op-45530

MDL No. 2804

Case No. 17-MD-2804

Judge Dan Aaron Polster

**MOTION TO DISMISS BY DEFENDANTS CVS HEALTH CORPORATION, THE
KROGER CO., WALGREENS BOOTS ALLIANCE, INC., AND WALMART INC.**

Pursuant to Fed. R. Civ. P. 12(b)(6), Defendants CVS Health Corporation, The Kroger Co., Walgreens Boots Alliance, Inc., and Walmart Inc. move to dismiss Plaintiff's Complaint with prejudice for the reasons set forth in the accompanying Memorandum.

Dated: June 29, 2018

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that this 29th day of June, 2018, I electronically filed a copy of the foregoing with the Clerk of the Court using the ECF system, which sent notification of such filing to all counsel of record.

/s/ Kaspar J. Stoffelmayr
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